



3728

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

16

Application Number

10/092,489

Filing Date

March 8, 2002

First Named Inventor

Merboth

Art Unit

3728

Examiner Name

Foster

Attorney Docket Number

X-9353

### ENCLOSURES (Check all that apply)

- |                                                                              |                                                                           |                                                                                         |
|------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance communication to Technology Center (TC)        |
| <input type="checkbox"/> Fee Attached                                        | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment/Reply                          | <input type="checkbox"/> Petition                                         | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final                                         | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information                                        |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter                                                  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Change of Correspondence Address                 | <input type="checkbox"/> Other Enclosure(s) (please identify below):                    |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer                              |                                                                                         |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> Request for Refund                               |                                                                                         |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s) _____                        |                                                                                         |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    |                                                                           |                                                                                         |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |                                                                           |                                                                                         |

Remarks

RECEIVED

SEP 17 2003

TECHNOLOGY CENTER R3700

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

John S. Hale, GIPPLE & HALE

Signature

Date

September 15, 2003

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

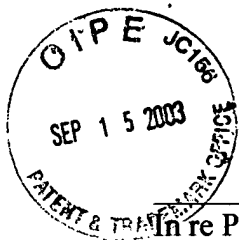
Typed or printed name

Signature

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MERBOTH ET AL

Serial No.: 10/092,489

Filed: March 8, 2002

For: PACKAGE WITH INSERT FOR  
HOLDING ALLOGRAFT  
IMPLANT TO PRECLUDE LIPID  
TRANSFER.

Examiner Foster

Art Unit 3728

RECEIVED  
SEP 17 2003  
TECHNOLOGY CENTER R3700

The Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

**SUPPLEMENTAL AMENDMENT**

In response to the outstanding Office Action of May 15, 2003 and Amendment filed

August 4, 2003, please amend the above-identified application as follows:

**IN THE SPECIFICATION:**

Page 8, line 4, change "polytheylene" to -polyethylene-.

**IN THE CLAIMS:**

Please amend claims 1, 10, 13, 15, 18, 19, 21, 22 and 24; cancel claims 5, 9, 12, 20  
and 23 without prejudice and add new claims 33-37 as follows: